

March 3, 1949, the court suspended the imposition of sentence and placed the defendant on probation for 1 year.

2844. Misbranding of Raymond K. Auville's Ultra Natural Health Food Combination No. 4. U. S. v. 3 Cartons * * *. (F. D. C. No. 23902. Sample No. 6204-K.)

LIBEL FILED: November 7, 1947, Western District of Pennsylvania.

ALLEGED SHIPMENT: During July 1947, by Raymond K. Auville, from Kerens, W. Va.

PRODUCT: 3 3-ounce cartons of *Raymond K. Auville's Ultra Natural Health Food Combination No. 4* at South Heights, Pa.

LABEL, IN PART: "Raymond K. Auville's Ultra Natural Health Food Combination No. 4—New Formula * * * Contents: Approximate measurement of ingredients; wild cherry leaves, three parts; wild Indian heart leaves, one part; walnut leaves, one part; wild cherry bark, two parts; may apple root, one part; red root, one half one part; red root, trace; vine fern, one half one part; alum root, one half one part; prickly ash bark, trace."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "Health Food * * * Natural Health Food * * * nutritional aid for the naturalization of the blood stream" were false and misleading since the article would not maintain health in those who are healthy or restore health to those who are unhealthy, and it would not make natural the blood stream.

DISPOSITION: September 21, 1949. Default decree of condemnation and destruction.

2845. Misbranding of Rocky Dell Water. U. S. v. 104 Bottles, etc. (F. D. C. No. 27262. Sample No. 24775-K.)

LIBEL FILED: May 24, 1949, Southern District of Iowa.

ALLEGED SHIPMENT: By Rocky Dell Springs, Inc., from Woodman, Wis. The product was shipped on or about March 31, 1949, and a number of small leaflets were shipped in October 1947.

PRODUCT: 104 ½-gallon bottles of *Rocky Dell Water* at Davenport, Iowa, in possession of Harry B. Sulzer, together with 300 small leaflets entitled "Let Nature Help You," which were shipped as described above, and 600 large leaflets with the same title, which were printed locally for Mr. Sulzer.

LABELING, IN PART: (Leaflets) "Constituent Parts per Million Silica (SiO₂) 14.90 Iron and aluminum oxides (Fe₂O₃ and Al₂O₃) 0.60 Calcium (Ca) 49.02 Magnesium (Mg) 15.74 Sodium and Potassium (as sodium, Na) 4.50 Chloride (Cl) 2.75 Sulphate (SO₄) 10.32 Nitrate (NO₃) 2.83 Nitrate (NO₂) None Phosphate (PO₄) 0.24 Bicarbonate (HCO₃) 322.5 Total hardness 187.1 Dissolved solids 271.0."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the small leaflets were false and misleading since they represented and suggested that the article would be efficacious in the cure, mitigation, and treatment of kidney and bladder trouble and many common ailments caused from such disorders, whereas the article would not be efficacious for such purposes. The article was misbranded in these respects when introduced and while in interstate commerce.

Further misbranding, Section 502 (a), certain statements in the large leaflets were false and misleading since the article would neither be effective in the treatment of the conditions stated and implied nor for the purposes mentioned. The statements represented and suggested that the article would be efficacious in the treatment of rheumatism, neuritis, arthritis, stomach and kidney troubles, and "breakdown ailments"; that it would be of value to one easily fatigued, inclined to headaches, and becoming more and more irritable; that it would be efficacious in the treatment of constipation, colds, and stomach upsets; that it would combat acidosis and activate the kidneys, intestines, lungs, and skin; that it would enable one to be young at forty, vigorous at fifty, and full of vitality in the sixties and seventies; that it would ward off high blood pressure, "breakdown ailments," and old age diseases; that it would keep one's blood clean and wholesome; the kidneys and liver active, and the intestines regularly flushed; that it would be efficacious in the prevention of pneumonia, influenza, tuberculosis, stomach troubles, diabetes, neurasthenia, dangerous kidney and bladder troubles, rheumatism, neuritis, gout, arthritis, and high blood pressure; that it would relieve irritation and pain of cystitis and burning bladder; that it was a normalizer; that it would keep one healthy, happy, and full of energy; and that it would be efficacious in the treatment of lumbago, neuralgia, stomach ulcers, and headaches. The article was misbranded in these respects while held for sale after shipment in interstate commerce.

DISPOSITION: July 12, 1949. Default decree of condemnation and destruction.

2846. Misbranding of Veronica Water. U. S. v. 120 Bottles, etc. (F. D. C. No. 24876. Sample No. 26698-K.)

LIBEL FILED: June 7, 1948, Eastern District of Missouri.

ALLEGED SHIPMENT: By Veronica Sales Co., Ltd. The product was shipped on or about February 2, 1948, from Memphis, Tenn., and a number of circulars were shipped on or about February 1, 1948, from Santa Barbara, Calif.

PRODUCT: 120 1-quart bottles of *Veronica Water* at St. Louis, Mo., together with a number of circulars entitled "Arthritis Routed by Ancient California Mineral Water" and a number of circulars entitled "Veronica Water." Analysis showed that the product was a saline water containing approximately 12 grams of magnesium sulfate and 6 grams of sodium sulfate (calculated as anhydrous salts) per liter, with smaller proportions of other mineral constituents, including a therapeutically inconsequential proportion of calcium bicarbonate.

LABEL, IN PART: "Veronica California Natural Springs Water * * * Distributed by Veronica Sales Company Ltd., Santa Barbara, California."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars were false and misleading. The statements represented and suggested that the article was an appropriate and adequate treatment for arthritis, rheumatism, high blood pressure, acidity, and excess acidity; disorders of the stomach, intestines, kidneys, liver, and gall bladder; and stomach ulcers, athlete's foot, burns, cuts, sprains, inflammation, poison oak, skin disorders, and gallstones. The article was not an appropriate and adequate treatment for such conditions.

DISPOSITION: July 6, 1948. Default decree of condemnation and destruction.